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Terry Goddard Challenges EPA's Decision on Car Emissions

(Phoenix, Ariz. – Aug. 31, 2006) Attorney General Terry Goddard today filed a friend of the court brief with the U.S. Supreme Court supporting arguments that the Environmental Protection Agency has the authority to regulate climate change pollutants from motor vehicle exhaust.

The case, *Massachusetts v. EPA*, stems from a 2003 EPA decision to reject a request from several states asking the federal agency to regulate pollutants that contribute to climate change. EPA concluded that it did not have authority under the Clean Air Act to regulate these pollutants. They are carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O) and hydro fluorocarbons (HFCs).

Goddard's brief argues that the agency's refusal to act makes it more difficult to regulate climate change pollutants from vehicles because it prevents a nationwide approach. Vehicles and pollutants both routinely cross state borders. He also maintains that the EPA's decision has the effect of preempting state efforts to reduce these pollutants. Automobile manufacturers and dealers have already argued in pending cases that, because of the EPA's decision, states cannot regulate climate change pollutants from motor vehicles.

"The EPA's interpretation of the Clean Air Act is wrong," Goddard said. "The agency's decision interferes with state efforts to protect citizens from the long-range impact of climate change, including the potential for prolonged drought, severe forest fires, warmer temperatures, increased snowmelt, reduced snow pack and other effects."

Attorneys General from Iowa, Maryland, Minnesota, and Wisconsin joined Arizona's friend of the court brief.

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